

MINUTES  
MUNCIE COMMON COUNCIL  
300 NORTH HIGH STREET  
MUNCIE, INDIANA 47305



**MAY 1, 2023**

**REGULAR MEETING:** 7:00 P.M., 1<sup>st</sup> Floor City Hall Auditorium.

**PLEDGE OF ALLEGIANCE:** Led by Boy Scout Troop #69.

**INVOCATION:** Moment of Silence.

**CITIZEN RECOGNITION:** Continued to June with Councilman Overbey presenting.

<b>ROLL CALL:</b>	<b>PRESENT</b>	<b>ABSENT</b>
Aaron Clark	X	
Ro Selvey	X	
Troy Ingram	X	
Jeff Green	X	
Jeff Robinson	X	
Brandon Garrett	X	
Isaac Miller	X	
Jerry Dishman	X	
Roger Overbey	X	

**APPROVAL OF THE MINUTES:** A motion was made by Ingram and seconded by Overbey to Approve the Minutes from the April 3, 2023 meeting as presented. A motion was made by Miller and seconded by Selvey to Amend the April 3, 2023 Minutes to correct the date in the header and first page. An all-in-favor vote showed 9 yeas. AMENDED. A roll call vote showed 9 yeas. MINUTES APPROVED AS AMENDED.

**COMMITTEE REPORTS:** Katy Wolfe, Director of the Muncie Animal Care & Services Department, talks about their adoption event that is currently going on. They are very lucky to collaborate with Bissell for the next two weeks all adoption fees are \$50 and each animal that is adopted comes with a free microchip. She would say one-third of their dogs have no adoption fee because they have either been at the Shelter for six (6) months or longer or they are six (6) years of age or older. If you know anybody that needs a dog, please come out to the Shelter to look at the ones out there. If you would like to sponsor an adoption for some of the other dogs, you can come in and it would still be \$50 but you would be helping a dog get a forever home.

**APPOINTMENTS TO BOARD AND COMMISSIONS:** President Robinson assures they don't have any appointments to make this month but will next month at the June meeting. Those will include two (2) appointments to the Muncie Animal Care Board, one (1) appointment to the Human Rights Commission (in the religious affiliation) and the newly formed Ethics Advisory Committee appointments as well. The

Ethics Advisory Committee appointments will include two (2) human resource professionals, two (2) attorneys licensed to practice law in the state of Indiana, one (1) person from the Bowen Center for Public Affairs, one (1) ethics professional from Ball State University, one (1) certified public accountant and two (2) citizens of the City of Muncie. For any of these board appointments anyone interested in serving can feel free to email any of the councilmembers. Their emails addresses are on the City of Muncie website on the City Council webpage. They hope to hear from quite a few.

## **ORDINANCES PREVIOUSLY INTRODUCED:**

## **NEW ORDINANCES:**

## **RESOLUTIONS:**

RES. 7-23 A RESOLUTION AUTHORIZING MAYOR DAN RIDENOUR TO APPLY FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAM GRANT FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

A motion was made by Selvey and seconded by Ingram to Adopt.

Gretchen Cheeseman, Community Development Director, explains this is the program year 2023 budget and refers to the document she provided all the councilmembers (see tables below). She wishes to go over it a little bit to explain how the program works. The program year starts on June 1<sup>st</sup> and this is the budget they submit to HUD along with a bunch of other various documentation that goes along with it, which is or will soon be posted on the website. A public hearing is scheduled for Wednesday, May 17<sup>th</sup> at 7:00 PM following 'Dream with Dan' which is at 6:00 PM. Their annual allocation for the Community Development Block Grant, which is the first page, is \$1,287,189.00, which is about a 4% decrease from last year (or around \$48,000). There are various caps and minimums that have to be spent on different things and those are in the gray section at the top. 70% of the grant has to be used to benefit low to moderate-income people or low to moderate-income areas and that amount this year is \$720,826. 20% was spent on grant administration and 15% was spent on public service. This year the department is funding four agencies. For public service, the decision was made that they wanted to focus on services to the homeless. Funds have been provided to all four of the local shelters. There is \$244,670 allocated for clearance, which is also capped. They cannot spend more than 30% of the grant on clearance projects, which is demolition of blighted houses. Matter of fact, Councilmember Aaron Clark serves as the Council representative on the Unsafe Building Hearing Authority. They are spending closer to \$296,000 on a Homeowner Rehab Program which this is the second year that program has been administered by the Community Development Office. It was previously administered by PathStone. She explains they work with HomeSavers, EcoRehab, and Habitat for Humanity to actually do the contracted work. They take the applications and do all the interviewing with the homeowners to make sure they are income qualified. \$250,000 is allocated for recovery housing acquisition. An application for over \$1 million went to SAMSA (the state agency that seals with substance abuse and mental health services) late in the summer and the Department pledged the \$250,000 towards the Recovery Housing Project, the remainder of the money for the rehabilitation of the building. If the grant is funded, it will come out of the grant. If the grant is not funded, this \$250,000 will be spent on infrastructure (like paving and sidewalks). There is \$1,000 in the next line in the public facilities section for paving and sidewalks, making note that is somewhat of a placeholder in the event that this \$250,000 is not funded. Then, there is money for design for the park in the McKinley Neighborhood. It is on Elm Street where bunches of houses were torn down and a retaining retention area was installed there. Director Cheesman feels they have a really good chance if this design is completed to be able to submit this to the Parks service to get a big grant to pay for the



rest of it. They would also get a bunch of extra points if the design is already completed. That is the CDBG budget.

The HOME Program, this year, is funded at \$602,616 and \$126,500 is from previous years resources. That is from two (2) projects that were funded last year or in previous years that ended up not going forward for some reason. The total allocation that will be spent this year for HUD available to commit is \$729,117. Of that, 10% goes to program administration. A CHDO is an abbreviation seen on her handout that is a community housing development organization. They are a housing developer that meets specific standards identified by HUD. Therefore, HUD sets aside money for them. She explains her office can spend up to 5% of their grant on CHDO operating which is administration funds for the agency. They have to have a project in this program year in order to get that money. The maximum they can spend is about \$30,000. They have allocated \$10,000 that will be going to PathStone who will be undertaking a home ownership project this year. That is also a CHDO reserve project and there is a minimum that must be spent on a CHODO reserve project, which is 15% of the grant or \$90,392. PathStone's project is a \$153,500 rehab of a house located at 612 W. 5<sup>th</sup> Street. That \$90,000 of the CHDO reserve part of the grant will be part of that. PathStone is also going to be running a down payment assistance program allocated at \$30,000. Habitat for Humanity will have a project at an address that has not been determined yet and their allocation is \$36,835. In the rental section, there is an allocation towards the City View II project and it is \$245,000. The new Advantix Southern Terrace project is 50-units of all lease purchase projects. City View II is 40-units. Southern Terrace is funded at \$200,000 so the grand total is \$729,170. All in all, this resolution is the Council giving the Mayor the authority to apply for the grant for this program year. Director Cheesman knows this is many numbers so is willing to answer any questions.

Audie Barber refers to how Director Cheesman stated that there was a 4% decrease, and is curious if that is from the federal government decreasing or is something the City has done. Director Cheesman explains that CDBG and HOME are both formula grants. Congress allocates a big chunk of money that is put into the formula and then a computer will spit out how much money every community is going to get. This was just their allocation from HUD this year. It wasn't decreased because of any kind of performance issues.

President Robinson confirms the Public Hearing will be Wednesday, May 17<sup>th</sup> at 7:00 PM and the location. Director Cheesman states it will be here in the City Hall Auditorium and everybody is welcome to come. It won't be too much different than what she presented tonight. She also wants to inform everyone of a Fair Housing Training session in conjunction with the Muncie Board of Realtors is this Wednesday, May 3<sup>rd</sup> at 9:30 AM. It will also be live on the City of Muncie Facebook page.

Councilman Green confirms the \$153,500 for rehab on the project at 612 W. 5<sup>th</sup> St. through PathStone and questions if that property is worth that investment. Director Cheesman informs it will not sell for that amount but that is what it cost to rehab it. She refers to the area above the Habitat project in the document she provided and explains there will be new construction. It is probably about the same size house and it is about the same amount as the total project cost but they are also using a bunch of volunteers to build it. Construction costs are just high right now. Green agrees and just had that question on that particular property.

Councilman Overbey agrees this is dealing with a lot of numbers here. In going back through, he refers his attention to the clearances on slum and blight and asks if that figure of \$244,689 is accurate. Director Cheesman confirms. Overbey questions the location that will be allocated. Cheesman explains it (kind of) all depends on the Unsafe Building Hearing Authority. The way the process works is the Building Commissioner's office goes out and tags buildings and notifies the property owners to come to a hearing. The property owners have an opportunity to come and inform what they are going to do to bring their property up to code. Some of them are way beyond that and some of the owners are never found. They are all demolished as a code enforcement action. So, if you have properties that you would like to



see demolished she recommends contacting the Building Commissioner's office. Overbey was recently with the Deputy Mayor going through a list of properties on the east side and he was just wondering because there are some that has been tagged and some have reasons they can't be demolished and he was just wondering if there was a certain area that this is going to be in. Director Cheesman makes note that it is Citywide and not concentrated for a specific area; it is whatever rises to the top of the properties that have gone through all the administrative steps within the Building Commissioner's office. She will also say, "The squeaky wheel gets the grease," so "squeak away."

Wayne Scaife asks if any of the money is going to be allocated for the Whitely and Industry neighborhoods. His second question is who is going to decide where that money is allocated. His third questions is if he could receive a copy of her handout. Director Cheesman answers yes and provides him a copy. She also explains some of the money will be allocated to Whitely and Industry with the demolitions. Scaife asks about other things, not just demolitions. Cheesman explains the Southern Terrance Project is \$200,000 of HOME money and it has 10 lots (or units) in Whitely. A good portion of their units are going to be in Whitely and Industry. There are also several lots in Industry (she is not sure about Whitely) for the City View Homes project. Those two rental housing projects are the biggest chunk of the HOME budget and 100% of that money is not going to go to either one of those neighborhoods but a chunk of it will. These are tax credit projects and they submit the tax credit applications to the state with the lots already identified. Anyone can call her at her office and she can inform what lots have been identified for those projects. The lots are already selected and approved before they come to (Community Development) who just throws money into the big pot. As it can be seen, City View and Southern Terrace are both \$11.8 million dollar projects. Our little \$200,000 sounds like a lot of money but it is not a very big drop in that bucket. It does give for nine (9) assisted units for that money, all of which are affordable housing. Questions called.

Councilwoman Selvey thinks that was a great question that Councilman Green asked. She wants to know how that house was selected and if a house needed that much repair why couldn't they have picked like two houses instead. Director Cheesman believes PathStone has a program where they rehabilitate a meth house (a house where meth has been cooked) and they go in and do the entire cleanup. It is called Rehab to Recovery. Selvey knows that is expensive and states that answers her question. A roll call vote showed 9 yeas. ADOPTED.

2023 HOME-BUDGET									
			2023 grant total	\$ 602,616	478,866	2019 HOME			
			(+) previous years resources	\$ 126,501	513,565	2020 HOME			
			total available to commit	\$ 729,117	512,816	2021 HOME			
			CHDO Operating (5% max)	\$ 30,130.80	611,601	2022 HOME			
			CHDO Reserve (15% minimum)	\$ 90,392.40	602,616	2023 HOME			
			<b>HOME GRANT - PY2023</b>	<b>10% cap</b>	<b>\$ 602,616</b>	\$ 90,392.40			
Project #	Activity #	New World							
1			Home Administration Salary	\$ 50,250.00					
			Home Administration/Training/Etc.	\$ 10,000					
			admin cap (10% = \$60,262)	TOTAL	60,250	80,250	10%		
2			CHDO Operating	5% Max					
			Pathstone CHDO Operating	30,131	10,000				
			TOTAL		\$ 10,000.00	2%			
14			Down Payment Assistance						
			Pathstone		30,000				
			TOTAL		30,000				
4			Homeownership						
			Habitat for Humanity (address TBD)		36,835	153,000	new construction	1	
			Pathstone 612 W. 5th St. Rehab	CHDO Reserve	146,300	153,500	rehab	1	
			TOTAL		183,135				
3			Rental						
			City View Homes II, MVAH (40 units, \$11.8 million)		245,732	11,827,500	new construction		4
			Southern Terrace, Advantix (50 units, \$11.8 million)		200,000	11,835,102	new construction		8
			TOTAL		445,732				
			<b>Grand Total</b>		<b>729,117.00</b>	<b>100%</b>	<b>Total</b>	<b>2</b>	<b>9</b>



[illegible]

**RES. 8-23** A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MUNCIE REGARDING THE ETHICS ADVISORY COMMITTEE ESTABLISHED PURSUANT TO AMENDED RESOLUTION 6-23.

A motion was made by Garrett and seconded by Green to Adopt.

President Robinson states Councilman Green astutely found a few things in the ethics advisory committee resolution from last month and this resolution appears to just fix a couple of wording issues. Green explains the way it was stated limited the Advisory Committee to only those individual things that were listed so the decision was made to have the wording changed so not only could they deal with those that were listed but anything else that they can think of. It opened it wide open so we're not tying their hands. He thought that would be the best thing to do. Robinson appreciates him touching base with him after the last meeting and thinks this was a great find. Questions called. A roll call vote showed 9 yeas. ADOPTED.

**OTHER BUSINESS:**

Carl Malone, Parks Superintendent, is here tonight regarding comments made at last month's meeting referencing the Parks Department. He believes the word used was "steal" so would like to have Councilman Dishman clarify what he meant and have further discussion on that comment. From what he knows, there are no records where the Parks Department did any stealing whatsoever. Nor was anybody charged. He does not know why that statement would have been made in a public forum without having those facts.

Dishman states he was trying to clarify to the Council if there is a person that has been in a place and thievery is being brought up all the while the Mayor is saying we have a second chance program. He admits he probably worded that wrong. What he was trying to say was if this Ethics Advisory Committee is going to counterdict what the Mayor can do. He did not mean any disrespect to the Parks Department, it is just they were in the situation where somebody (a Secretary) was writing a check or something to her boyfriend (or something like that). He does not know who was involved with it because the Mayor (and Administration) wouldn't say. Again, he does not know who was involved but it was said that the State Police cleared them because they didn't cash the check. That the Controller caught it beforehand.

Dishman assures if he said something to disrespect Mr. Malone, he will apologize to him. He lets it be known that he didn't mention any names and just referenced the Parks Department because that is where it happened at, in the Parks Department. Robinson makes the comment he would like to leave names out of it. Dishman repeats, he did not mention any names. He received a phone call the next morning from Yvonne Thompson requesting him to call an individual on the Parks Department and he did. Dishman talked with that person who in turn told him how he was bombarded with a bunch of questions saying he was thrown under the bus. Dishman assures he didn't mention anybody's name for anybody to call him and tell him that. He told him that it may have been the Parks Department he was referencing because that incident happened within the Parks Department.

Malone is pretty sure the City of Muncie is aware of what happened within the Parks Department and there was a thorough investigation by the State Police to ratify and make things clear. As a public official saying he didn't use the right wording or didn't mean it... Dishman interjects he was asking a question about the second chance. Let's say somebody is caught stealing, would that be conflicting with that ethics resolution? He might have worded it wrong but he did not use anybody's name. Malone thinks he did and is sure the name could have been left out. When he says "steal" and is not factual that there was stealing in the Parks Department, that reflects the entire department, including Malone himself, as well as the City of Muncie. Dishman said there was wrongdoing in the Parks Department. Again, he probably worded it wrong and will apologize to anybody that wants him to apologize to them. He just wanted to make sure if something happens and since the Ethics Committee is now playing a part, if the Mayor decides to override the Ethics Committee and give that person a second chance.

Malone asks the Council President how he views the comment that was made. President Robinson explains he wasn't the one that made the comment so he doesn't have a view on it. From what Dishman has explained, it sounds like he misspoke. He thinks everybody's innocent until proven guilty and knows in the case of the Parks Department (and in any case that has happened) that those folks have been exonerated. Malone confirms. Robinson thinks Dishman's apology is sincere and recalls speaking with him after the last meeting because he had heard from other individuals. In reaching out to those individuals trying to play peacemaker trying to make sure everybody understood that, Robinson didn't believe any harm was meant. He thinks Dishman was just trying to clarify as he said. This Ethics Advisory Committee is also designed to and hopefully will protect our employees from wrongful accusations, which is what took place. That is the goal of that Ethics Commission to protect all City employees and to protect the citizens on the other side of that too. Robinson thinks Dishman has apologized and hopes that satisfactory to Malone as well as others. However, as far as himself, he didn't make the comment so doesn't have a view on it. He is not the person or persons that were being talked about so again, he doesn't have a personal view on it. He appreciates Dishman owning it and apologizing but beyond that, he has no view.

Akilah Nosakhere, Muncie Public Library, thanks the Council for work they've done for our community. In particular to Councilman Clark for providing the Muncie Public Library with the renewal of (inaudible). It is very popular and is always checked out. Last week was National Library Week from April 23<sup>rd</sup> to April 29<sup>th</sup>. Every year they get a proclamation from the Mayor's office. Several weeks before the 23<sup>rd</sup>, they contacted his office inquiring about a proclamation. However, with all this activity going on such as new housing and Election Day being tomorrow, it was understood why they did not get the proclamation. She is here on behalf of her staff who are dedicated to serving people of all ages, genders, political affiliation and income levels in Muncie and offers the Mayor an opportunity to make that up by provided a proclamation for their Summer Reading Program. It is very popular. Everyone comes out and they read throughout the City. There are non-profit organizations, daycare centers, businesses, etc. that take part in that program. The program is scheduled for June 15<sup>th</sup> through July 29<sup>th</sup>.



The theme this year is “All Together Now!” In closing, she mentions how they are serving as a library for Muncie Community Schools. Southview Elementary is undergoing renovation and construction so they didn’t have a library all year. Students and teachers come out to their main building and the staff there just love it. They do all they can to provide and organize activities for them based on the curriculum by the state of Indiana. In addition, because of the construction, the Muncie Public Library is serving as a polling place tomorrow so this is the first time that the library will be doing that. They will be there at 5:00 in the morning to help get ready and hope that the election goes off without any glitches. She just wants it to be known that they do a lot. They have books in all formats along with electronics, large prints, small prints, and audio. Please remember your Public Library and do not take it for granted because many places are losing their libraries as budgets and tax dollars go down. They love serving the City of Muncie. President Robinson states on behalf of this Council and the City, they appreciate the work that the Muncie Public Library does while being a great community partner providing resources to those that might not have resources otherwise, in terms of internet and things like that. Thank you for all you do at the Muncie Public Library.

Audie Barber states tomorrow is Election Day and encourages people to please get out and vote. He doesn't care if you vote for the right person or the wrong person, just get out and vote. Exercise your right to vote. That is your God-given right as a United States citizen to vote. Second of all, he is curious about the Community Crossings Grant and if anybody on Council knows why we didn't receive it this time. On the INDOT website, Daleville, Albany and Delaware County received it but the City of Muncie did not receive the Community Crossings Grant. He also noticed that the Mayor, Deputy Mayor or the City Engineer is not here to answer the questions so he hopes somebody from the Council may be able to give an input on that and explain why we didn't receive it. If it is because we didn’t apply for it, then that is an issue. On the other hand, if it is because we did apply for it and did something wrong, that is an issue as well. That money is used to pave the roads and these roads are just horrible right now. That is all everybody on Facebook talks about is how bad the roads are. He thinks us missing out on that money, needs to be looked into. To see why we did not get it.

Yvonne Thompson states she is here because her name was mentioned. She informs that Councilman Dishman made a suggestion that she thinks the Council should take into consideration with any and all lawsuits or any investigations that especially go into the newspaper. Those things need to be brought all the way out and cleared up because the Council needs to know what is going on behind the scenes. They need to know if this person was exonerated. She is just going to say that she is hoping that Dishman wouldn't have made that statement because he would have had all the information beforehand. That's what she has to say about that. Please take that into consideration, any and all investigations that are in the newspaper especially, which this particular situation was, and not just the newspaper it was on TV too for that matter. The Council needs to know the outcome so that is what she is asking them to know.

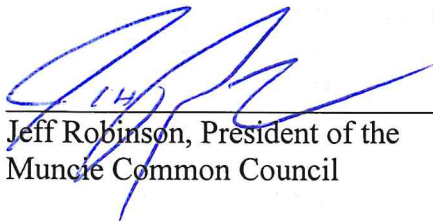

Mike Sullivan wants to commend the Council for the work in creating and supporting the Ethics Advisory Committee. He is very proud to be a resident of Muncie and having this Council taking the first step. He really commends them. However, that is a first step. His hope is that when a code of ethics is written that it will be very clear on the distinction between declaration of conflict of interest and declaring a conflict of interest. The word “recusement” is important. He recalls years ago a politician, whose name he will not mention, of this very Council rightly declared a conflict of interest on a resolution that was decided/considered by the Council. After declaring his declaration of conflict voted in favor of the

resolution. So, he hopes the term 'recusement' is part of the language when they go to actually write the code of ethics. That is very important. We have nothing less than even the US Supreme Court not quite understanding that very principle itself.

Kristopher Bilbrey just wanted to say that it was four (4) years ago he stood at the podium before a different Council for the majority of the year stating that he wanted them to do things differently. He hoped that they would continue doing things differently but they really didn't. Then it was his hope that when the new Council came in, the new Council would do things differently. He wants to say that for better or worse, the people that have been up here that are no longer up here or those that have been caucused in, for the majority have done a fantastic job. Everybody that's been a part of that, whether we're talking about Anitra Davis (2019 District #6 elective) or Ray Dudley (2019 District #3 elective) or Ralph Smith (2019 District #1 elective) or Richard Ivy (2019 At-Large elective) or Brad Polk (incumbent and 2019 District #4 elective); that for better or worse they have done a good job. He feels like they have lived up to their oath and have worked hard for the citizens of Muncie. They have done what they set out to do and the people of Muncie should thank them for doing what they've done. Bilbrey recalls sitting down at the beginning of this year to tabulate through every vote that this Council had taken from January 2020 to January 2023. While there is a lot of backroom conversation and talking out in the community that this Council votes a certain way, a majority of the time they voted unanimously on everything. The times the votes were 5-4 or there was a split are very, very few and far between. The Council are checks and balances. A lot of the time in government, people think that the Mayor sits above the Council, Clerk or Judge. It is checks and balances. The Council is just as important. They are duly elected officials to be here. He knows that at the end of this year, we are not going to have some of them on Council, whether they win, lose or just the fact that some of them will not be here for various other reasons. He hopes the next Council that comes in will follow their lead and just wants to thank them and will probably continue to do that at various times. However, there is still work to be done. Things are still occurring and going on such as projects that are being taken to DAC or going through the MRC instead of coming before them as the Council. That is a failing of this Mayor's Administration and is something that he hopes will be addressed. Otherwise, City Council has done a wonderful job and he thanks them.

**ADJOURNED:**

A motion was made by Garrett and seconded by Ingram to Adjourn. A vote by acclamation showed 8 yeas, 1 nay (Robinson). ADJOURNED.

  
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Jeff Robinson, President of the  
Muncie Common Council  
\_\_\_\_\_  
Belinda Munson, Muncie City Clerk  
of the Muncie Common Council